

REMARKS

By the *Final Office Action* of 3 June 2005, Claims 1-20 are pending in the Application, and all rejected. The grounds of rejection are nearly identical to the *Office Action* of 30 November 2004, the crux of which was if Applicant could establish the effective filing date of the present application to the filing date of the priority document, the grounds of rejection were overcome.

In view of such, Applicant, in its 24 February 2005 *Response* to the 30 November 2004 *Office Action*, submitted not only a certified copy of the Netherlands priority application, but also the English translation and translator's statement.

Applicant's postcard accompanying the 24 February 2005 *Response* reflects the translation was received, as well as the PAIR system, which has an entry labeled "02-24-2005 Foreign Priority Papers Filed" wherein pp. 17-28 are the English translation.

Nonetheless, the *Final Office Action* notes that the Applicant cannot rely upon the foreign priority papers to overcome the rejection because a translation of the priority document has not been made of record. This appears to be in error, as, indeed, the 24 February 2005 *Response* included the translation.

Applicant respectfully requests reconsideration of the 24 February 2005 *Response*. Alternatively, Applicant herein again attaches a copy of the English translation and translator's statement. If the prior submission of the English translation and translator's statement, and/or the present submission of same, still do not perfect the foreign priority filing date for purposes of overcoming art in the present case, Applicant respectfully requests further guidance, as it believes the rules and MPEP have been complied with for same.

No new matter is introduced by the present *Response and Request For Reconsideration*. It is respectfully submitted that the present Application is in condition for allowance for the following reasons.

1. Priority

Applicant again thanks the Examiner for the acknowledgement of Applicant's claim of foreign priority, as this application is a continuation of a PCT Application, which itself has